

# Notice of Allowability

Application No.

09/723,029

Examiner

Firmin Backer

Applicant(s)

PAUSCHINGER ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to January 3<sup>rd</sup>, 2005.
2. ☒ The allowed claim(s) is/are 1-24.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☒ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☒ to Paper No./Mail Date 3.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 5/16/05
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

*Firmin Backer*  
4/18/05

**DETAILED ACTION**

***Allowable Subject Matter***

1. Claims 1-24 are allowed.
2. The following is an examiner's statement of reasons for allowance:
  - a. Applicant disclosed an inventive concept to provide a method for protection against employment of unallowed consumables in devices, that largely minimizes the employment of unallowed consumables. Unallowed consumables" means expired, old consumables as well as those of poor quality from other manufacturers, particularly pirated products. Applicant's inventive concept is novel and innovative in the sense that it aggregates each physical authentic tangible replacement consumable product, corresponding to said electronically represented tangible consumable product, with said generated code word, by generating an identification number embodying the generated code word and aggregating the identification number with each physical authentic tangible replacement consumable product during manufacture of each authentic tangible replacement consumable product at a manufacturer as recited in claim 1 and 23, and receiving a message from said data center identifying whether said proposed, tangible replacement consumable product is authorized, and said microprocessor modifying operation of said device, with regard to permitting usage of said proposed, tangible consumable product in said device, dependent on said message as recited in claim 7 and 23. Silverbrook (2003/0112419) the closest prior art teaches a body, a printing cartridge being engageable with the body, the printing cartridge having a housing, a media supply arrangement positioned within the housing and containing a supply of media and a feed

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mechanism positioned in the housing for feeding the media to a printing mechanism, a barcode being depicted on the housing and carrying data relating to the media.

Silverbrook fails to teach aggregates each physical authentic tangible replacement consumable product, corresponding to said electronically represented tangible consumable product, with said generated code word, by generating an identification number embodying the generated code word and aggregating the identification number with each physical authentic tangible replacement consumable product during manufacture of each authentic tangible replacement consumable product at a manufacturer as recited in claim 1 and 23, and receiving a message from said data center identifying whether said proposed, tangible replacement consumable product is authorized, and said microprocessor modifying operation of said device, with regard to permitting usage of said proposed, tangible consumable product in said device, dependent on said message as recited in claim 7 and 23.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### *Conclusion*

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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b. *Walker et al (U.S. Patent No. 6,494,562) teach a replaceable printing component for use in a printing system having at least one replaceable printing component. The replaceable printing component is of the type sold through a plurality of sales channels. The replaceable printing component includes a radio frequency link for receiving information indicative of a particular sales channel of a plurality of sales channels. Also included in the replaceable printing component is an electrical storage device for storing information indicative of the particular sales channel. The electrical storage device provides information indicative of the particular sales channel for reordering the replaceable printing component.*

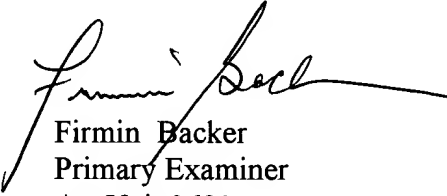
c. *Haines (GB 2354735) disclose an inventive concept of encrypting data stored in a memory on a replaceable component of a printing to prevent unauthorized access to the memory in order to deter counterfeit cartridge vendors from having the ability to read data from an authentic cartridge that could thereafter be stored in the memory of a counterfeit cartridge.*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Firmin Backer whose telephone number is (571) 272-6703. The examiner can normally be reached on Mon-Thu 9:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on (703) 305-9768. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Firmin Backer  
Primary Examiner  
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April 18, 2005